

REMARKS

Claims 3, 12-14, 49, and 50 have been amended; claims 1, 2, and 15-48 have been cancelled without prejudice or disclaimer in accordance with the Examiner's request; and claims 3-14, 49, and 50 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §112:

Claims 13-14 and 49-50 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The applicants have amended claims 12-14 to correct the errors identified by the Examiner and to further clarify the relationship between the reliable contexts recited in the claims. Accordingly, the rejection of claims 13 and 14 should be withdrawn. Support for the amendment can be found in, for example, FIG. 8 (describing generating a second context, operation 805).

The applicants have amended claims 49 and 50 to the extent possible to clarify that the programs are written in the Java programming language. This limitation clearly identifies a particular programming language in which the recited programs are written, and thus would be clearly understood by a person of ordinary skill in the art as referring to a particular programming language. The applicants recognize that Java™ is a registered trademark of Sun Microsystems, Inc. The presence of a trademark is not, *per se*, improper under 35 U.S.C. § 112, second paragraph. See MPEP § 2173.05(u). For example, if a trademark has a definite meaning, it constitutes sufficient identification unless some physical or chemical characteristic of the article or material is involved in the invention. See MPEP § 608.01(v)(I). Here, the term Java™ has a definite meaning as referring to a particular programming language originally developed by Sun Microsystems, and does not involve a physical or chemical characteristic. Further, the applicants respectfully assert that there is no other way to refer to this particular programming language other than through the term "Java". Since the term "Java" as used in the claims has a definite meaning well-known in the art, and because there is no other way to refer to the Java programming language, the applicants respectfully assert that the claims are not indefinite and that the rejection of claims 49 and 50 under 35 U.S.C. § 112, second paragraph, should be withdrawn. However, if the Examiner maintains the rejection, the applicants respectfully request

that the Examiner suggest alternative language that would avoid the rejection while maintaining the scope of the claims.

REJECTIONS UNDER 35 U.S.C. § 101:

Claims 12-14 and 50 are rejected under 35 U.S.C. § 101 as being directed toward non-statutory subject matter because the method does not produce a concrete, useful, and tangible result. The applicants have amended claim 12 as suggested by the Examiner. In particular, claim 12 now defines accessing the application content according to a particular context generated (e.g., the second reliable context or the unreliable context), thus confirming a concrete, useful, and tangible result. Accordingly, the rejection of claim 12 under 35 U.S.C. § 101, as well as dependent claims 13, 14, and 50, should be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 12-13 and 50 are rejected under 35 U.S.C. §102(b) as being anticipated by Chan et al. (U.S. Publication No. 2002/0019941). The applicants respectfully traverse.

Chan does not disclose all the limitations of claim 12. For example, Chan does not disclose issuing a command by a first reliable context to read application content, or generating a second reliable context corresponding to the application content and accessing the application content according to the second reliable context when the command is the reliable request. The Examiner construes the helper process 154 disclosed in Chan as corresponding to the first reliable context. Chan discloses using the helper process 154 to assist in downloading files over the Internet, such as web pages, programs, ActiveX controls, and the like (paragraphs 84, 6). In a secure environment, a network device driver may be equipped to grant or deny access to a network as a whole, but is not equipped to grant or deny access to a particular site or group of sites (paragraph 84). For example, a process may need to access a particular Internet site, but may not be permitted to access other Internet sites. The device driver can either deny access to the Internet completely, preventing the process from operating normally, or may allow complete access to the Internet, endangering security (paragraph 84). Chan discloses the helper process 154 to avoid this problem.

When a restricted process attempts to call the socket() and connect() functions of the API, the functions generate the helper process 154, which extracts a location from the request

and determines whether the restricted process is permitted to access the site (paragraph 84; FIG. 12, steps 1202-1212). The helper process indicates whether the request should be allowed or granted (FIG. 12, step 1202). If the request is allowed, the connect() function returns a socket handle, allowing the restricted process to access the requested site (paragraph 84; FIG. 12).

In contrast, claim 12 recites, in part, issuing a command by a first reliable context to read application content, or generating a second reliable context corresponding to the application content and accessing the application content according to the second reliable context when the command is the reliable request. Chan, however, discloses generating a helper process 154 to determine whether the restricted process should access the site, and in particular, discloses generating only one helper process. Once the helper process 154 determines that the restricted process is permitted to access the site, the helper process merely indicates the result of this determination. The helper process 154 does not itself request the site, nor is another helper process 154 generated as a result of the command. Claim 12 recites issuing a command by a first reliable context to read application content; however, the helper process 154 does not issue a command; it merely determines whether a command already issued is permitted. Similarly, claim 12 also recites generating a second reliable context according to the application content. However, once the helper process 154 determines that the request is permitted, the restricted process is allowed to access the site itself; no additional helper process is generated. As a result, Chan does not disclose all the limitations of claim 12, and the rejection of claim 12 should be withdrawn.

Claims 13 and 50 depend from claim 12. The rejection of claims 13 and 50 should be withdrawn for at least the reasons given above with respect to claim 12.

REJECTIONS UNDER 35 U.S.C. §103:

Claims 3-4, 7-8, 10 and 49 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chan et al. (U.S. Publication No. 2002/0019941) in view of Goodwin, III et al. (U.S. Publication No. 2002/0065914).

Claim 3 has been amended to incorporate the limitations of claim 14, which the Examiner indicated contained allowable subject matter. Accordingly, the applicants respectfully submit that the combination of Chan and Goodwin III does not disclose or suggest all the limitations of claim 3 as amended. Claims 4, 7-8, 10, and 49 depend on claim 3. The rejection of these

claims should be withdrawn for at least the reasons given above with respect to claim 3.

Claims 5, 6, 9, and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Chan et al. (U.S. Publication No. 2002/0019941) in view of Goodwin, III et al. (U.S. Publication No. 2002/0065914), further in view of applicant's admitted prior art (AAPA).

Claims 5, 6, 9, and 11 depend on claim 3, which, as discussed above, contains allowable subject matter as indicated by the Examiner. Accordingly, the applicants respectfully submit that the combination of Chan, Goodwin III, and AAPA does not disclose or suggest all the limitations of claims 5, 6, 9, and 11. The rejection of these claims should therefore be withdrawn.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

STEIN, MCEWEN & BUI, LLP

Date: 7/24/08

By: 

Michael D. Stein
Registration No. 37,240

1400 Eye St., NW
Suite 300
Washington, D.C. 20005
Telephone: (202) 216-9505
Facsimile: (202) 216-9510